

ERIC A. GRASBERGER (*admitted pro hac vice*)  
[eric.grasberger@stoel.com](mailto:eric.grasberger@stoel.com)

MARIO R. NICHOLAS (SB #273122)  
[mario.nicholas@stoel.com](mailto:mario.nicholas@stoel.com)

STOEL RIVES LLP  
760 SW Ninth Avenue, Suite 3000  
Portland, OR 97205  
Telephone: 503.224.3380  
Facsimile: 503.220.2480

EDWARD C. DUCKERS (SB #242113)  
[ed.duckers@stoel.com](mailto:ed.duckers@stoel.com)

STOEL RIVES LLP  
Three Embarcadero Center, Suite 1120  
San Francisco, CA 94111  
Telephone: 415.617.8900  
Facsimile: 415.617.8907

Attorneys for Plaintiff  
*JH Kelly, LLC*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In Re

PG&E CORPORATION

v.

AECOM TECHNICAL SERVICES, INC.

Case No. 4:20-CV-05381-HSG (Lead Case)

(Reference withdrawn from Bankruptcy  
Case No. 19-30088, Adv. Proc. No. 20-  
03019 and Adv. Proc. No. 19-03008)

(Consolidated with Case No. 3:20-cv-  
08463-EMC)

**[PROPOSED] ORDER GRANTING  
DAUBERT MOTION TO EXCLUDE  
PORTIONS OF EXPERT TESTIMONY  
AND REPORTS OF TED SCOTT**

Hearing Date: May 31, 2022  
Time: 11:00 a.m.  
Location: Courtroom 2

Complaint Filed: January 25, 2019  
Trial Date: June 20, 2022

**[PROPOSED] ORDER**

Having reviewed Plaintiff JH Kelly, LLC's ("Kelly") Daubert Motion to Exclude Portions of Expert Testimony and Reports of Ted Scott ("Scott"), and for good cause appearing,

IT IS HEREBY ORDERED that:

1. Kelly's Daubert Motion to Exclude Portions of Expert Testimony and Reports of Ted Scott is GRANTED.
2. The court will exclude the following portions of the testimony and Expert Reports<sup>1</sup> of Scott:
  - a. Scott's opinion and analysis relating to Phase 1/Window II of his Report attributing a 35-day delay to Kelly;
  - b. Scott's opinion and analysis in Phase 2/Window I of his Report attributing a 32-day delay to Kelly;
  - c. Scott's opinion and analysis in Phase 2/Window II of his Report attributing a 15-day delay to Kelly;
  - d. Scott's opinion and analysis in Phase 2/Window III of his Report attributing a 6-day delay to Kelly;
  - e. Scott's opinion and analysis in Phase 2/Window IV of his Report attributing an 8-day delay to Kelly.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Haywood S. Gilliam, Jr.  
Judge of the District Court

<sup>1</sup> "Expert Reports" includes both Scott's October 18, 2021 Report on Delay ("Report") and his November 16, 2021 Reply Report on Delay.